

SIGNATORY REVIEW WORKSHEET

SERIAL NUMBER: 10/018235

EXAMINER: Weddington

## NOTES:

DATE: 9/30/05

ACTION(S) REVIEWED

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1. IF A CLEAR ERROR COULD BE CHARGED UNDER TWO OR MORE OF: PATENTABILITY DETERMINATION; ACTION TAKING; OR PATENT EXAMINING FUNCTIONS, IT IS ONLY CHARGEABLE ONCE, UNDER THE FIRST APPROPRIATE LISTED CATEGORY.

2. IN A GIVEN OFFICE ACTION IT IS POSSIBLE TO HAVE TWO OR THREE CLEAR ERRORS, IF THEY ARE BASED ON UNRELATED(DIFFERENT ERRORS), AND ARE CHARGED IN DIFFERENT CATEGORIES.

3. ONLY ONE PATENTABILITY DETERMINATION AND/OR ACTION TAKING AND/OR PATENT EXAMINING FUNCTIONS ERROR IS CHARGEABLE AGAINST AN EXAMINER IN A SINGLE OFFICE ACTION.

4. IN AN APPLICATION WHERE MORE THAN ONE OFFICE ACTION IS BEING REVIEWED IT IS POSSIBLE TO HAVE A PATENTABILITY DETERMINATION AND/OR AN ACTION TAKING AND/OR PATENT EXAMINING FUNCTIONS ERROR IN EACH OFFICE ACTION.

5. IF THE EXAMINER HAS REPEATED THE SAME ERROR IN TWO OFFICE ACTIONS IN AN APPLICATION IN THE REVIEW PERIOD, TWO ERRORS SHOULD BE CHARGED AGAINST THE EXAMINER.

PATENTABILITY DETERMINATION

<u>A. MAJOR ACTIVITIES</u>	YES	NO	COMMENTS
a. ALL CLAIMS PATENTABLE (UNDER 35 USC 102 & 103), OVER ALL ART OF RECORD	,	X	The examiner missed a 102(b) rejection against at least independent claim 15. Shah et al. (Indian journal of pharmacology, March/April 1999 issue, no. 17 under prior art tab) teaches the intravenous administration of ramipril as well as ramiprilat to rabbits. It was shown to reduce intraocular pressure. See page 112 results.
b. ARE ALL CLAIMS PATENTABLE (UNDER 35 USC 102 & 103) OVER ALL ART WHICH IS NOT OF RECORD BUT SHOULD BE	,		
c. ARE ALL CLAIMS PATENTABLE UNDER ALL OTHER PERTINENT SECTIONS OF THE STATUTE (e.g., 101, 102, 103, 112, 251, etc.)	,		
d. ARE ALL CLAIMS PATENTABLE UNDER ALL NON-STATUTORY REJECTIONS (e.g., OBVIOUSNESS TYPE DOUBLE PATENTING)	,		
<u>B. IS THERE A "CLEAR ERROR" COMMITTED</u>			
yes			
<u>C. SUPPORTING EXPLANATION</u>			

ACTION TAKING

<u>A. MAJOR ACTIVITIES</u>	YES	NO	COMMENTS
a. DO ACTIONS INCLUDE ALL REASONABLE REJECTIONS, (MPEP 7.0707g)	,		
b. WERE ANY UNREASONABLE REJECTIONS MADE		,	
c. WERE ANY UNREASONABLE FORMAL REQUIREMENTS MADE		,	
d. DID THE EXAMINER TAKE ANY ARBITRARY OR CAPRICIOUS ACTION		,	
e. IS THE RECORD, TAKEN AS A WHOLE, REASONABLY CLEAR AND COMPLETE, INCLUDING REASONS FOR ALLOWANCE WHERE NECESSARY	,		
f. DO ACTIONS PROPERLY TREAT ALL MATTERS OF SUBSTANCE IN APPLICANT'S RESPONSE, INCLUDING AFFIDAVITS/DECLARATIONS, IF ANY	,		
<u>B. IS THERE A "CLEAR ERROR" COMMITTED</u>			
<u>C. SUPPORTING EXPLANATION</u>			

### PATENT EXAMINATION FUNCTIONS

<u>A. WERE THESE FUNCTIONS PROPERLY PERFORMED</u>	YES	NO	COMMENTS
1a. CHECKING APPLICATIONS FOR FORMAL MATTERS	,		
1b. CHECKING APPLICATION FOR TECHNOLOGICAL ACCURACY	,		
2. TREATING DISCLOSURE STATEMENTS & STATEMENTS AND CLAIMS FOR PRIORITY	,		
3. ANALYZING DISCLOSURE AND CLAIMS FOR COMPLIANCE TO 35 USC 112	,		
4. PLANNING FIELD OF SEARCH	,		
5. CONDUCTING SEARCH	,		
6. FORMULATING REJECTIONS UNDER 102/103 OR DETERMINING HOW CLAIMS DISTINGUISH OVER PRIOR ART	,		
7. DETERMINING WHETHER AMENDMENT INTRODUCES NEW MATTER	,		
8. DETERMINING WHETHER RESTRICTION IS PROPER	,		
9. DETERMINING OPERABILITY/UTILITY	,		
10. EVALUATING/APPLYING CASE LAW	,		
11. EVALUATING SUFFICIENCY OF AFFIDAVITS/DECLARATIONS	,		
12. DETERMINING WHETHER APPROPRIATE LINE OF PATENTABLE DISTINCTION MAINTAINED BETWEEN APPLICATIONS &/OR PATENTS	,		
13. EVALUATING SUFFICIENCY OF REISSUE OATH/DECLARATION			Not applicable
14. EVALUATING APPROPRIATENESS OF GROUNDS FOR REEXAMINATION			Not applicable
<u>B. IS THERE A "CLEAR ERROR" COMMITTED</u>			
<u>C. SUPPORTING EXPLANATION</u>			